

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LINDA ALLARD, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

**SCI DIRECT, INC. d/b/a NEPTUNE
SOCIETY,**

Defendant.

CIVIL CASE NO: 3:16-cv-1033

JUDGE DRAIN

MAGISTRATE JUDGE HOLMES

CASE MANAGEMENT ORDER #2

A telephonic case management conference was held on April 27, 2017. Counsel participating were: Jeremy Glapion and Blaine Dixon for Plaintiff and Scott Carey for Defendant. From the proposed case management order submitted by the parties (Docket No. 43) and discussion during the case management conference, and pursuant to Local Rule 16.01(d), the case management plan is modified as follows:

A. STATUS OF DISCOVERY:

The Parties have successfully completed fact discovery regarding Plaintiff's individual claims against Defendant. All remaining class-related fact discovery (if any) will be completed no later than 90 days after the Court's ruling on Defendant's Motion for Summary Judgment. Plaintiff anticipates taking a 30(b)(6) deposition of Defendant during the class-related fact discovery period, and possibly taking a third-party deposition of CallFire, Inc.

B. DISCLOSURE/DEPOSITION OF EXPERTS:

1. PLAINTIFF

Plaintiff will disclose her expert, if any, within 30 days after the Court's ruling on Defendant's Motion for Summary Judgment, and serve her expert's report within 30 days thereafter.

2. DEFENDANT

Defendant proposes to disclose its expert, if any, no later than 30 days after service of Plaintiff's expert's report. If Plaintiff does not retain an expert, Defendant will disclose its expert no later than 30 days after Plaintiff's expert disclosure deadline. Defendant will serve its expert's report no later than 30 days after the disclosure of Defendant's expert. All expert depositions shall be concluded by no later than 90 days after the last expert disclosures are made.

C. JOINT MEDIATION REPORT:

The Parties are scheduled to conduct class-wide mediation with James Kay on June 20, 2017. The Parties will submit a joint mediation report to the Court within 14 days of the mediation informing the Court whether the parties were able to reach a resolution.

D. CLASS CERTIFICATION:

The Parties agree that Plaintiff's supplemental brief in support of her Motion for Class Certification shall be due no later than **May 5, 2017**. Plaintiff shall include, as exhibits to her supplemental brief, her original brief with accompanying exhibits. Plaintiff's supplement brief (exclusive of exhibits) shall not exceed 25 pages without leave of Court. Defendant's brief in opposition shall be due no later than **June 2, 2017**, and shall not exceed 25 pages without leave of Court. Plaintiff's reply brief, if any, shall be due on or before **June 9, 2017**, and shall not exceed 5 pages without leave of Court.

E. SCHEDULING OF CLASS-WIDE DISPOSITIVE MOTIONS:

Any other class-wide dispositive motions shall be due within 30 days of the Court's decision on Plaintiff's Motion for Class Certification

F. ELECTRONIC DISCOVERY:

The parties continue to successfully conduct electronic discovery. Should any disputes arise, the parties will confer in good faith, and, should that fail, consult the Court's Administrative Order No. 174, to the extent it is applicable to the dispute.

G. TARGET TRIAL DATE AND ESTIMATED TRIAL TIME:

The parties expect the JURY trial to last approximately three to five days. The parties respectfully request that the Court set the date for trial to be a date most convenient for the Court with a requested target trial date of **February 6, 2018, or after**. Trial and a final pretrial conference will be set by separate order, as will pretrial procedures and filing deadlines.

It is SO ORDERED.


BARBARA D. HOLMES
UNITED STATES MAGISTRATE JUDGE